

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PAUL R. TWARDOWSKI,

Plaintiff,

v.

WILLIAM E. HASKINS

Defendant.

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Case No. 4:19-CV-03305 SEP

MEMORANDUM AND ORDER

This matter is before the Court on Defendant Haskins’s (“Haskins”) Motion for Attorney’s Fees. Doc. [7]. This Court previously awarded Haskins attorney’s fees for costs incurred as a result of Plaintiff Twardowski’s (“Twardowski”) improvident removal. Doc. [6].

After establishing that a party is entitled to attorney’s fees and relevant expenses, the question becomes whether the requested fees and expenses are reasonable under the facts and circumstances of the case. The Eighth Circuit has held that the determination of a reasonable attorney’s fee is a matter within the sound discretion of the trial court. *See Greater Kansas City Laborers Pension Fund v. Thummel*, 738 F.2d 926, 931 (8th Cir. 1984). The usual method of calculating reasonable attorney’s fees is to multiply the hours reasonably expended in the litigation by a reasonable hourly fee, producing the “lodestar” amount. *Fish v. St. Cloud State Univ.*, 295 F.3d 849, 851 (8th Cir. 2002) (citing *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983)). There is a “strong presumption” that the lodestar represents a reasonable fee. *Holmes v. Slay*, No. 4:12-CV-2333 HEA, 2017 WL 994473, at *1 (E.D. Mo. Mar. 15, 2017) (citing *City of Burlington v. Dague*, 505 U.S. 557, 562 (1992)).

Haskins requests \$1,530 in attorney’s fees. In their Statement of Attorney’s Fees, Haskins’s attorneys report spending 8.5 hours challenging the removal of this action, at a rate of \$180 per hour.

The Court has reviewed the documentation submitted by Haskins's attorneys and concludes that the Statement of Attorney's fees appears reasonable under the lodestar standard. There was limited briefing done after the removal of this action, so there is no need for a thorough itemization of costs. Further, the Court finds a rate of \$180 per hour reasonable considering the services performed and the average hourly rate in the St. Louis area. For these reasons, the Court grants Haskins's request.

IT IS HEREBY ORDERED that Haskins's Motion for Attorney's Fees (Doc. [7]) is **GRANTED**, and Twardowski is required to pay Haskins his reasonable attorney's fees in the amount of \$1,530.

So ordered this 20th day of August, 2020.

A handwritten signature in cursive script, reading "Sarah E. Pitlyk", written in black ink. The signature is positioned above a horizontal line.

SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE